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Attorneys for Non-Party Movants
VAR CONSULTING, INC. AND
AMERICAN WHOLESALE DISTRIBUTION, INC.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

-----X	:	
N.V.E., INC.,	:	Civil Action No.:
	:	2:06-CV-05455(HAA)(ES)
Plaintiff,	:	
- v. -	:	
	:	MOTION DATE:
	:	August __, 2010
JESUS J. PALMERONI, a/k/a Joseph	:	
Palmeroni, RONALD SUMICEK, SUNBELT	:	
MARKETING, ABC CORPORATIONS 1-10	:	
and JOHN DOES 1-10,	:	<u>ORAL ARGUMENT REQUESTED</u>
Defendants.	:	
-----X	:	
JESUS J. PALMERONI,	:	
	:	
Third-party plaintiff,	:	
- v. -	:	
	:	<u>DECLARATION OF</u>
	:	<u>VINCENT ROSARBO</u>
ROBERT OCCHIFINTO and WALTER	:	
ORCUTT,	:	
	:	
Third-party defendants.	:	
-----X	:	

VINCENT ROSARBO, being duly sworn, hereby declares the following to be true under penalty of perjury:

1. I am a principal of VAR Consulting, Inc. ("VAR Consulting") and of American Wholesale Distribution, Inc. ("AWD") and am fully authorized to make this Declaration on behalf of those entities.

2. I make this Declaration upon my own personal knowledge in support of the Application by VAR Consulting and AWD to quash subpoenas served in this action upon Bank of America ("BOA") seeking the production of records in the possession of BOA with regard to the accounts of VAR Consulting and AWD (the "Subpoenas").

3. Attached hereto are true and accurate copies of the subject Subpoenas.

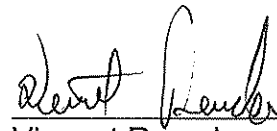
4. I was employed as a salesman for Plaintiff N.V.E., Inc. ("NVE") from approximately 2000-2004.

5. VAR Consulting is a Nevada corporation. Neither of the named individual defendants, Palmeroni and Ronald Sumicek ("Sumicek"), are owners, officers, employees or otherwise affiliated with VAR Consulting. To my knowledge, VAR Consulting never purchased any products from Plaintiff NVE, nor did it have any transactions with Sunbelt Marketing. VAR Consulting did not have any involvement with the brokerage transactions which are the subject of the pending action.

6. AWD was a Nevada Corporation, which is now dissolved. Palmeroni was a shareholder and Secretary of AWD. Ronald Sumicek was not a shareholder, owner, officer, employee or otherwise affiliated with AWD. To my knowledge, AWD never

purchased any products from Plaintiff NVE, nor did it have any transactions with Sunbelt Marketing. AWD did not have any involvement with the brokerage transactions which are the subject of the pending action. As such, any compensation paid by AWD to Palmeroni was entirely unrelated to the brokerage transactions which are the subject of the pending action.

Executed on August 9, 2010



Vincent Rosarbo